

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JANIS TERISON,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION
)	Docket No.:
NORTHSTAR LOCATION SERVICES, LLC,)	
)	
Defendant.)	

COMPLAINT

NOW COMES Plaintiff, JANIS TERISON (“Plaintiff”), by her attorneys, and hereby alleges the following against NORTHSTAR LOCATION SERVICES, LLC, (“Defendant”):

Introduction

1. Count I of Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (“FDCPA”).

2. Count II of Plaintiff’s Complaint is based on the Maine Fair Debt Collection Practices Act, Me. Rev. Stat. tit. 32, § 11001 (“MFDCPA”).

Jurisdiction and Venue

3. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy,” and 28 U.S.C. § 1367 grants this court supplemental jurisdiction over the state claims contained therein.

4. Defendant conducts business in the State of Maine and, therefore, personal jurisdiction is established.

5. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

Parties

6. Plaintiff is a natural person residing in Otisfield, Oxford County, Maine.

7. Plaintiff is a consumer as that term is defined by 15 U.S.C. § 1692a(3) and Me. Rev. Stat. tit. 32, § 11002(3).

8. Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5) and Me. Rev. Stat. tit. 32, § 11002(5).

9. Defendant is a debt collector as that term is defined by 15 U.S.C. § 1692a(6) and Me. Rev. Stat. tit. 32, § 11002(6), and sought to collect a consumer debt from Plaintiff.

10. Defendant is a business entity with an office located in Cheektowaga, New York.

11. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

Factual Allegations

12. Defendant is attempting to collect a debt from Plaintiff on behalf of FIA Card Services, N.A. for a credit card debt with Bank of America.

13. The alleged debt arises from transactions which were for personal, family, and household purposes.

14. In its attempts to collect the debt, Defendant mails letters to Plaintiff and places telephone calls.

15. Defendant's telephone calls are made to Plaintiff's cellular telephone at telephone number xxx-xxx-2696.

16. Defendant leaves voicemail messages for Plaintiff when she is unable to answer Defendant's telephone calls. *See* transcripts of two voicemails as Exhibit A hereto.

17. Defendant's voicemail messages ask for Plaintiff, state that it is calling from Northstar Location Services, and instruct Plaintiff to return its calls "today" to 866-328-8252. *See* Exhibit A.

18. Defendant also provides Plaintiff with "reference number 2012-399273." *See* Exhibit A.

19. However, Defendant does not inform Plaintiff that it is a debt collector or that the calls are in regards to a debt. *See* Exhibit A.

20. Defendant fails to provide Plaintiff with any nature as to the nature and purposes of its calls to her in an attempt to deceive Plaintiff. *See* Exhibit A.

Count I
Defendant Violated the Fair Debt Collection Practices Act

21. Defendant violated the FDCPA based on the following:

- a. Defendant violated § 1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt.
- b. Defendant violated § 1692e(11) of the FDCPA by failing to disclose that the call was from a debt collector.

WHEREFORE, Plaintiff, JANIS TERISON, requests that judgment be entered against Defendant, NORTHSTAR LOCATION SERVICES, LLC, for the following:

22. Statutory damages pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k,

23. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k.

24. Any other relief that this Honorable Court deems appropriate.

Count II
Defendant Violated the Maine Fair Debt Collection Practices Act

25. Defendant violated the MFDCPA based on the following:
- a. Defendant violated § 11013(2)(J) of the MFDCPA by using deceptive means in an attempt to collect a debt.
 - b. Defendant violated § 11013(2)(K-1) of the MFDCPA by failing to disclose that the call was from a debt collector.

WHEREFORE, Plaintiff, JANIS TERISON, requests that judgment be entered against Defendant, NORTHSTAR LOCATION SERVICES, LLC, for the following:

26. Statutory damages pursuant to the Maine Fair Debt Collection Practices Act, Me. Rev. Stat. tit. 32, § 11054(1)(B),
27. Costs and reasonable attorneys' fees pursuant to the Maine Fair Debt Collection Practices Act, Me. Rev. Stat. tit. 32, § 11054(1)(D).
28. Any other relief that this Honorable Court deems appropriate.

Dated: October 22, 2012

RESPECTFULLY SUBMITTED,

LAW OFFICE OF DOUGLAS J. JENNINGS

By: /s/ Douglas F. Jennings
Douglas F. Jennings, Esq.
Law Office of Douglas J. Jennings
One Weston Court, Suite 103B
Augusta, ME 04330
dfjlaw@live.com
(207) 623-1632
Attorney for Plaintiff, Janis Terison